

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>7/14/2016</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

ANDREW ECHEVARRIA et al.,

Defendant.

S4 15-CR-445 (PAE)

SCHEDULING ORDER

PAUL A. ENGELMAYER, United States District Judge:

Today, the Court held two status conferences in the above case involving different sets of defendants. The Court hereby sets the following deadlines:

- There will be three trial dates corresponding to three Trial Groups, as specified below:
 - Jury selection for the Trial Group 1 defendants¹ will begin on October 24, 2016, and the trial itself will begin on October 31, 2016.
 - Jury selection for the Trial Group 2 defendants² will begin on January 23,

¹ The Trial Group 1 defendants are those defendants for whom no new substantive charges were added in the S4 Superseding Indictment, and whose counsel do not have a separate trial commitment that conflicts with the October trial dates. The Trial Group 1 defendants are Jordan Rivera, William Amarizan, Raheem Amarizan, Corey Heyward, Jahnomi Benjamin, Miguel Romero, Kaye Rosado, Andrew Echevarria, Naquann Simmons, Diquinn Lacend, Kenneth Jenkins, Vincent Fielder, Mia Dentico, and Pamela Brown.

² The Trial Group 2 defendants are those defendants either (1) for whom no new substantive charges were added in the S4 Superseding Indictment, but whose counsel had a trial commitment that conflicted with the October trial date, or (2) for whom new substantive charges were added in the S4 Superseding Indictment, but who are not charged with participating in either of the murders identified in the Indictment. The Trial Group 2 defendants are, presently, William Knox, Corey Cooks, Tjon Macoll, Jonathan Harris, and Wilfredo Rivera. Andrew Echevarria may be moved from Trial Group 1 to Trial Group 2 in the event his counsel's trial commitment that conflicts with the October trial dates is not resolved as expected.

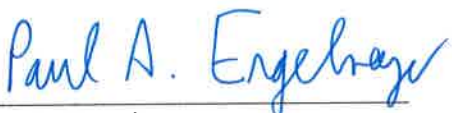
2016, and the trial itself will begin on January 30, 2016.

- Jury selection for the Trial Group 3 defendants³ will begin on June 19, 2016, and the trial itself will begin on July 26, 2016.
- For the Trial Group 1 defendants, the following interim deadlines will apply:
 - Motions to suppress or sever shall be due by July 28, 2016, and the government's opposition shall be due by August 4, 2016.
 - Motions for a bill of particulars shall be due by August 11, 2016.
 - Motions *in limine* shall be due by September 19, 2016, and any opposition shall be due by September 26, 2016.
 - Requests to charge and proposed voir dire questions shall be due by September 26, 2016.
 - The government shall provide defendants and defense counsel with its exhibit list by October 10, 2016, although the government reserves its right to supplement the exhibit list.
 - A final pretrial conference will be held on October 14, 2016, at 10 a.m.
- For the Trial Group 2 defendants, the Court hereby schedules a status conference on October 17, 2016, at 2:30 p.m.
- For the Trial Group 3 defendants, the Court hereby schedules a status conference for October 20, 2016, at 2:30 p.m.

³ The Trial Group 3 defendants are those defendants who are charged with participating in one or more of the murders identified in the Indictment. The Trial Group 3 defendants are Jonathan Rodriguez, Marquis Wright, Jason Benjamin, Daquan McBeth, and Keith Ruiz.

For the reasons stated on the record at today's conference, time is excluded as to the Trial Group 1 defendants until October 31, 2016, is excluded as to the Trial Group 2 defendants until October 17, 2016,⁴ and is excluded as to the Trial Group 3 defendants until October 20, 2016, including to permit counsel to continue to exchange and review the voluminous discovery in this case and to discuss potential dispositions of the case with the government. *See* 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: July 14, 2016
New York, New York

⁴ If defendant Echevarria becomes a Trial Group 2 defendant, time shall be excluded until October 17, 2016 as to him as well.